

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kelly Harper,

File No. 23-cv-1247 (ECT/LIB)

Petitioner,

v.

OPINION AND ORDER

Warden of FCI Waseca,

Respondent.

On June 7, 2023, the Court denied Plaintiff Kelly Harper's pro se petition for writ of habeas corpus. ECF No. 22. In the June 7 order, Harper was directed that "[w]ithin 30 days of the date of [the] order, [she] may file an amended pleading styled as a civil-rights complaint raising her remaining claims," but "[i]f she [did] not file an amended pleading in the time permitted, this matter [would] be dismissed without prejudice." *Id.* at 6. More than 30 days have passed, and Harper has not filed an amended complaint. Accordingly, this action is **DISMISSED** without prejudice. Harper's application to proceed in forma pauperis in District Court, ECF No. 32, filed after she already submitted her filing fees, *see* ECF No. 13, is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 13, 2023

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court